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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

THE BANKRUPTCY ESTATE OF NORSKE
SKOGINDUSTRIER ASA

Debtor in a
Foreign Proceeding.

Chapter 15

Case No. 18-13571 (MG)

THE BANKRUPTCY ESTATE OF NORSKE
SKOGINDUSTRIER ASA,

Plaintiff,

vs.

CYRUS CAPITAL PARTNERS, L.P., *et al.*,

Defendants.

Adv. Pro. No. 18-01846 (MG)

**PLAINTIFF’S EXHIBITS (WITH EXCERPTED TRANSLATIONS) IN CONNECTION
WITH UPCOMING HEARING ON DEFENDANTS’ MOTIONS TO DISMISS**

Tom Hugo Ottesen, duly appointed trustee and foreign representative (“**Petitioner**” or “**Trustee**”) of Plaintiff The Bankruptcy Estate of Norske Skogindustrier ASA (“**Norske Skogindustrier Estate**” or “**Plaintiff**”), by its undersigned United States counsel, submits the following exhibits that it has disclosed in *Plaintiff’s Exhibit List in Connection with Upcoming*

Hearing on Defendants’ Motions to Dismiss [Dkt. 75], with relevant sections excerpted and translated from Norwegian into English where applicable, that it may or will use at the upcoming evidentiary hearing on the Defendants’ Motions to Dismiss. Original language copies of Exhibits written in Norwegian were filed on the same day as the Exhibit List. Plaintiff has had English translations prepared of relevant excerpts of the Norwegian documents. The “Comment” column indicates the status of each exhibit for the reference of the parties and the Court. Plaintiff has determined that it does not intend to use certain listed exhibits at the upcoming evidentiary hearing, as noted below.

1. EXHIBIT LIST

Plaintiff’s Exhibit No.	Description	Comment
1	February 21, 2020 Declaration of Egil Horstad (ECF No. 50)	In English, no translation necessary.
2	NOU 1972:20 (Official Norwegian Report regarding the Recovery Act)	Excluded; relevant pages excerpted and translated as Ex. 31-34.
3	Ot.prp.nr. 50 (1980-1981)	Pages 170-174 excerpted and translated.
4	Rt-1910-65 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
5	Rt-1919-845 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
6	Rt-1966-305 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
7	Rt-1985-290 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
8	Rt-1994-792 (Norway Supreme Court)	Pages 1 and 7-8 excerpted and translated.
9	Rt-1995-222 (Norway Supreme Court)	Pages 226-27 excerpted and translated.

Plaintiff's Exhibit No.	Description	Comment
10	Rt-1995-259 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
11	Rt-1995-1317 (Norway Supreme Court)	Pages 1 and 6-7 excerpted and translated.
12	Rt-1996-1647 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
13	Rt-1998-1042 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
14	Rt-2001-1136 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
15	Rt-2001-1136 (Norway Supreme Court)	Relevant sections of 1143-44 excerpted and translated.
16	Rt-2001-1702 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
17	Rt-2001-1702 (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
18	Rt-2007-817 (Norway Supreme Court)	Pages 1-2 and 9 excerpted and translated.
19	Rt-2008-833 (Norway Supreme Court)	Relevant pages excerpted and translated as Ex. 43.
20	Rt-2008-1170 (Norway Supreme Court)	Pages 1-2 and 8 excerpted and translated.
21	Rt-2012-468 (Norway Supreme Court)	Pages 1-2 and 5-9 excerpted and translated.
22	HR-2017-370 (58-61) (Norway Supreme Court)	Not translated; Plaintiff does not intend to use.
23	HR-2019-1073 (Norway Supreme Court)	Pages 1 and 10 excerpted and translated.
24	LB-2015-186361-2 (Borgarting Court of Appeal)	Not translated; Plaintiff does not intend to use.

Plaintiff's Exhibit No.	Description	Comment
25	Huser (Gjeldsforhandling og konkurs, bind 3, omstetelse), 1992	Pages 106-08 and 258-59 excerpted and translated.
26	Jussens Venner 1998	Pages 3-4 excerpted and translated.
27	Andenres (Konkurs 2. edition) 1999	Pages 42 and 43 excerpted and translated.
28	Erik Monsen (Uberettiget berigelse (obehorig vinst) som grundlag for betalingskrav), KONF-2008-njm-337, 2008	Pages 347-48 excerpted and translated.
29	Andenres (Konkurs 3. edition) 2009	Pages 286 and 361 excerpted and translated.
30	Schei et al.. (Kommentarutgave, 2. edition) 2013	Not translated; Plaintiff does not intend to use.
31	NOU 1972:20 p. 305 (Official Norwegian Report regarding Section 5-15 of the Recovery Act)	Pages 1, 341, and 342 excerpted and translated.
32	NOU 1972:20 p. 253 (Official Norwegian Report regarding Section 1-5 of the Recovery Act)	Pages 1 and 284-86 excerpted and translated
33	NOU 1972:20 p. 291 (Official Norwegian Report regarding Section 5-5 of the Recovery Act)	Pages 1 and 326-38 excerpted and translated.
34	NOU 1972:20 p. 297 (Official Norwegian Report regarding Section 5-9 of the Recovery Act)	Pages 1 and 333-335 excerpted and translated.
35	Ot.prp. nr. 50 (1980-1981) p. 170-171, 173 (Proposition to the Odelsting regarding Section 5-9 of the Recovery Act)	Not translated; Plaintiff does not intend to use.
36	NOU 1972:20 p. 299 (Official Norwegian Report regarding Debt Negotiations and Bankruptcy)	Pages 1 and 334-336 excerpted and translated.
37	Rt. 1998 p. 1042 (Norway Supreme Court, June 30, 1998)	Pages 1 and 13-14 excerpted and translated.
38	Rt. 2012 p. 468 (Norway Supreme Court, March 22, 2012)	Not translated; Plaintiff does not intend to use.

Plaintiff's Exhibit No.	Description	Comment
39	HR-2017-370-A (Norway Supreme Court, February 14, 2017)	Relevant portions of pages 7 and 8 excerpted and translated.
40	Rt. 1996 p. 1647 (Norway Supreme Court, January 22, 1999)	Page 1 and relevant portions of pages 7 and 8 excerpted and translated.
41	HR-2019-1073-A (Norway Supreme Court, June 6, 2019)	Not translated; Plaintiff does not intend to use.
42	Rt. 2008 p. 833 (Norway Supreme Court, October 6, 2008)	Not translated; Plaintiff does not intend to use.
43	LB-2015-186361-2 (Borgarting Court of Appeal, January 9, 2017)	Page 1 and relevant portions of pages 31 and 32 excerpted and translated.
44	Ex. 1 to Declaration of Knut Ro	In English; no translation necessary.
45	Ex. 2 to Declaration of Knut Ro	In English; no translation necessary.
46	Ex. 3 to Declaration of Knut Ro	In English; no translation necessary.
47	Ex. 4 to Declaration of Knut Ro	In English; no translation necessary.
48	Ex. 5 to Declaration of Knut Ro	In English; no translation necessary.
49	Ex. 6 to Declaration of Knut Ro	In English; no translation necessary.
50	Ex. 7 to Declaration of Knut Ro	In English; no translation necessary.
51	Ex. 8 to Declaration of Knut Ro	In English; no translation necessary.
52	Ex. 9 to Declaration of Knut Ro	In English; no translation necessary.

Plaintiff's Exhibit No.	Description	Comment
53	Ex. 10 to Declaration of Knut Ro	In English; no translation necessary.

Dated: New York, New York
January 25, 2021

HOLLAND & KNIGHT LLP

By: /s/ Richard A. Bixter, Jr.

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